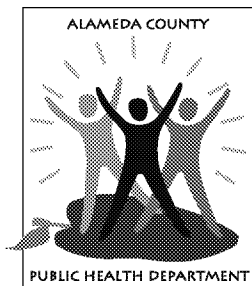


# **EXHIBIT 65**

**TO CHRISTOPHER LONG'S  
DECLARATION ISO MSJ**



ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
PUBLIC HEALTH DEPARTMENT

Alex Briscoe, Director  
Muntu Davis, MD, MPH, Director and Health Officer

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September 21, 2015

City Council President Lynette Gibson McElhaney  
Oakland City Hall  
1 Frank H. Ogawa Plaza  
Oakland, CA 94612  
Via email: lmcElhaney@oaklandnet.com

**Re: Coal's Public Health and Safety Impacts**

Dear Council President Gibson McElhaney and Councilmembers:

As the County Health Officer, I write to express concerns about and recommendation for preventing the potential negative health and safety impacts of the proposed coal export project at the former Oakland Army Base. After reviewing city health data and considering the impacts of coal and exporting coal, I respectfully recommend the City Council allow the Break Bulk Terminal project to move forward, but reject exporting coal or other fossil fuels based on the following. Coal transport can significantly impact the already compromised air-quality related health outcomes experienced by residents in East and West Oakland, and the threat of derailment, fires, explosions, and spills related to this type of transport pose additional health concerns.

Dense populations in Alameda County currently live relatively close to the rail lines and have some of the worst documented health outcomes related to unfair social and environmental burdens in the County. These areas experience higher pollution levels than others. In fact, in 2014, western Alameda County, including Oakland and the City of Alameda, was identified as an area where air pollution contributes most to poor health impacts and where sensitive populations, defined as youth and seniors, are most vulnerable to air pollution by the Bay Area Air Quality Management District's (BAAQMD) Community Air Risk Evaluation (CARE) program.

The overall rate of asthma hospitalizations in East Oakland is over two times the Alameda County rate.<sup>i</sup> The overall rate of asthma emergency department (ED) visits in West Oakland is almost two times the Alameda County rate.<sup>ii</sup> East and West Oakland children are hospitalized for asthma twice as much as children under five in the County.<sup>iii</sup>

Asthma is a chronic disease that affects the airways in the lungs in children and adults. During an asthma attack, airways become inflamed, making it hard to breathe. Asthma attacks can be mild, moderate, or serious — and even life threatening. Asthma attacks can be triggered by environmental factors,

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including tobacco smoke, mold, and outdoor pollution from toxic air contaminants, such as vehicle emissions and coal dust.

The proposed Coal export project from Terminal Logistics Solutions, part of a project to build a bulk terminal facility in the former Oakland Army Base to facilitate the export of a number of commodities, including coal and petcoke, would transport coal trains up to a mile and a half-long through the Bay Area on the Union Pacific and BNSF rail lines.

The negative environmental and health impacts of coal mining, transportation and combustion are well documented. And, if approved, the flatland communities in Oakland and the rest of western Alameda County will be impacted by added pollution. The processes to mine, transport and combust coal are extremely carbon and pollution intense. Transporting coal also poses environmental contamination risks to our agricultural lands, drinking water and the San Francisco Bay. It can emit diesel particulates from increased train traffic and up to 12 to 18 tons of fugitive coal dust and debris from rail cars along the trip.

Another public health concern from the transport of coal and other fossil fuels is around train derailments, spills, fires, and explosions, which can be devastating for communities and the environment. Coal combustion emits particulate matter, sulfur and nitrogen compounds and heavy metals, all chemicals that cause and exacerbate respiratory harm. One example is the crude oil train derailment in Lac Megantic, Quebec that resulted in 47 deaths, dozens of destroyed buildings, \$1 billion in property damage and thousands of residents displaced in July, 2013.<sup>iv</sup> Such a disaster would be worse in magnitude and has the potential for long lasting health and economic impacts in our communities here since Oakland is so densely populated and has high numbers of people whose health is vulnerable to air pollution.

Jobs and working conditions are important for health and workers deserve a safe and healthy place to work. Coal workers have been shown to experience increased risk of chronic bronchitis, decreased pulmonary function and emphysema from the inhalation of coal dust.<sup>v</sup> Residents and organizations fought hard to ensure that jobs at the former Oakland Army Base go to local residents as a way to improve, not harm health. Even “covered” rail cars and enclosed terminal operations could put workers at risk and this is concerning, particularly for workers from Oakland communities who may already have a pre-existing health condition.

Given the significant health and safety risks from the proposed project on many communities along the rail lines, particularly on East and West Oakland, I urge the City Council to prohibit the export of coal and other fossil fuels using contract or regulation through the former Oakland Army Base and to allow safer alternative commodities that have less health impacts and more health benefits, particularly to our most vulnerable communities of workers and residents, and bring us closer to a more sustainable and equitable Oakland.

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We are committed to building on the work like the new East Oakland Truck Route, to ensure cleaner air and a cleaner environment for all Oakland residents by preventing and reducing unnecessary health risks on our most vulnerable communities. The impacts of the proposed Coal export project would backpedal on important recent public health gains from improved air quality and reduced asthma rates in Oakland.

Please feel free to contact me with any questions. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Muntu Davis', followed by the text 'MD, MPH'.

Muntu Davis, MD, MPH

Alameda County Health Officer

cc: City of Oakland Councilmembers  
Sabrina B. Landreth, City of Oakland Administrator  
City Clerk

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<sup>i</sup> For East Oakland zip codes 94601, 94603, 94605 and 94621, the asthma inpatient hospitalization rate is 265.0 per 100,000 residents; the county rate is 120.6 per 100,000. The childhood (0-4 year-olds) asthma hospitalization rate for East Oakland is 899.4 per 100,000; the county rate is 421.9 per 100,000. Source: CAPE Unit, Alameda County Public Health Department/ Health Care Services Agency with data from California Office of Statewide Health Planning and Development (OSHPD), 2011-2013.

<sup>ii</sup> For West Oakland zip codes 94607, 94608, 94609, and 94612, the overall rate of asthma ED visits is 1014.6 per 100,000 residents; the Alameda County rate is 531.8 per 100,000. The asthma ED visit rate for children (0-4 year-olds) is 1224.3 per 100,000 compared to the Alameda County rate of 929.0 per 100,000. Source: CAPE Unit, Alameda County Public Health Department/ Health Care Services Agency with data from California Office of Statewide Health Planning and Development (OSHPD), 2011-2013.

<sup>iii</sup> For West Oakland 94607, 94608, 94609, and 94612 the overall rate of asthma inpatient hospitalization is 206.8 per 100,000 residents; the Alameda County rate is 120.6 per 100,000. The childhood (0-4 year-olds) asthma hospitalization rate for West Oakland is 752.3 per 100,000; the county rate is 421.9 per 100,000. Source: CAPE Unit, Alameda County Public Health Department/ Health Care Services Agency with data from California Office of Statewide Health Planning and Development (OSHPD), 2011-2013.

<sup>iv</sup> Lac Megantic Explosion, The Huffington Post: <http://www.huffingtonpost.com/news/lac-megantic-explosion/>

<sup>v</sup> From the *NIOSH Pocket Guide to Chemical Hazards*, which is intended as a source of general industrial hygiene information for workers, employers, and occupational health professionals. Available at: <http://www.cdc.gov/niosh/npg/npgd0144.html>